

FILED BY CAF D.C.

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION**

05 DEC 15 PM 3:46

THOMAS M. GOULD  
CLERK, U.S. DISTRICT COURT  
W.D. OF TENN. MEMPHIS

LIBBY WARD

Plaintiff,

V.

COMMUNITY ELDERCARE  
SERVICES, LLC  
D/B/A LAUDERDALE COMMUNITY  
LIVING CENTER

**Defendants.**

§ 87(2)(b)

No.: 2:05cv2523-D/V  
JURY DEMANDED

## Scheduling Order

Pursuant to written notice, a scheduling conference was held telephonically on December 9, 2005. Present were Michael L. Russell, counsel for Plaintiff, and Lorrie K. Ridder, counsel for Defendants. At the conference, the following dates were established as the final dates for:

INITIAL DISCLOSURES PURSUANT TO Fed.R.Civ.P. 26(a)(1): December 22, 2005.

**JOINING PARTIES: January 27, 2006**

AMENDING PLEADINGS: January 27, 2006

INITIAL MOTIONS TO DISMISS: February 24, 2006

COMPLETING ALL DISCOVERY: July 28, 2006

(A) DOCUMENT PRODUCTION: July 28, 2006

(B) DEPOSITIONS, INTERROGATORIES AND REQUESTS FOR ADMISSIONS: July 28, 2006

This document entered on the docket sheet in compliance with rule 58 and/or 79(a) FRCP on 12/24/05

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(C) EXPERT WITNESS DISCLOSURE:

For Plaintiff:: June 1, 2006

For Defendant: June 30, 2006

FILING DISPOSITIVE MOTIONS: August 28, 2006

OTHER RELEVANT MATTERS:

No depositions may be scheduled to occur after the discovery cutoff date. All motions, requests for admissions, or other filings that require a response must be filed sufficiently in advance of the discovery cutoff date to enable opposing counsel to respond by the time permitted by the Rules prior to that date.

Motions to compel discovery are to be filed and served by the discovery deadline or within 30 days of the default or the service of the response, answer, or objection, which is the subject of the motion, if the default occurs within 30 days of the discovery deadline, unless the time for filing of such motion is extended for good cause shown, or the objection to the default, response, answer, or objection shall be waived.

This case is set for jury/~~non-jury~~ trial, and the trial is expected to last three (3) day(s). The pretrial order date, pretrial conference date, and trial date will be set by the presiding judge.

This case is appropriate for ADR. The parties are directed to engage in court-annexed attorney mediation or private mediation after the close of discovery.

The parties are reminded that pursuant to Local Rule 11(a)(1)(A), all motions, except motions pursuant to Fed.R.Civ. P. 12, 56, 59, and 60 shall be accompanied by a proposed order.

The opposing party may file a response to any motion filed in this matter. Neither party may file an additional reply, however, without leave of the court. If a party believes that a reply is necessary, it shall file a motion for leave to file a reply accompanied by a memorandum setting forth the reasons for which a reply is required.

The parties ~~have~~ have not consented to trial before the magistrate judge.

This order has been entered after consultation with trial counsel pursuant to notice. Absent good cause shown, the scheduling dates set by this order will not be modified or extended.

IT IS SO ORDERED



UNITED STATES MAGISTRATE JUDGE

DATE: December 13, 2005



# Notice of Distribution

This notice confirms a copy of the document docketed as number 4 in case 2:05-CV-02523 was distributed by fax, mail, or direct printing on December 20, 2005 to the parties listed.

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Honorable Bernice Donald  
US DISTRICT COURT